T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:			07-Feb-08	APPL. S. N:	10767073				
To Examiner:			SELLERS, DANIEL	Art Unit	2615				
From			Jefferson, Henry PARALEGAL SPCECIALIST	Return This Memo To: Case Drop-Off Location	JEF-2D68				
SUBJECT: Decision on Terminal Disclaimer(T.D.) filed:									
INSTRUCTIONS: I have reviewed the submitted T.D. with the results as set forth below. If you agree, please use the appropriate form paragraphs identified by this informal memo in your next Office action to notify applicant of the T.D. If you disagree or have any questions, please see me or the Special Program Examiner. THIS IS AN INFORMAL, INTERNAL MEMO ONLY. IT MUST NOT BE (1) MAILED TO APPLICANT OR (2) PLACED OF RECORD IN THE APPLICATION FILE. When your action is complete,									
please initial, date and return this memo to me. THANK YOU.									
The T.D. is PROPER and has been recorded (see 14.23).									
	The T.D. is NOT PROPER and has not been accepted for the reason(s) checked below (see 14.24):								
The TD fee of has not been submitted nor is there any authorization in the application file use of a deposit account									
The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the e his/her interest (and/or the extent of the interest of the business entity represented by the signature in the application/patent (see 14.26 & 14.26.01).									
		The T.D. lacks double patent	led to overcome a non-statutory						
-	e disclaimer must be for a terminal 6 & 14.26.02).								
The person who signed the T.D.:									
		is no	t an attorney "of record" (see	14.29 and 14.29.01).					
		has t	failed to state his/her capacity	to sign for the business entity (se	ee 14.28).				
		is no	t recognized as an officer of the	ne assignee (see 14.29 & possible	14.29.02).				
No documentary evidence of a chain of title from the original inventor(s) to nor is the reel and frame number specified as to where such evidence is re (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence frame number may be found in the T.D. or in a separate paper of record in					ded in the Office r the specifying of the reel and				
		The T.D. is no	t signed (see 14.26 & 14.26.0	3).					
	The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see 14.32).								
		The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05).							
		The period dis	claimed is incorrect or not spe	ecified (see 14.26, 14.27.02 or 14.	26.03).				
		Other:							
		Suggestion to and do not ch		IOTE: If already authorized, credit	refund to deposit account				
I have appropriately notified applicant(s) of the status of the Terminal Disclaimer filed in this case.									
Ex.Initials	s:	Date	:		Log Date:				

Application Number	Application/Control No.		Applicant(s)/Patent under Reexamination TANAKA ET AL					
Document Code - DISQ	Internal Doc		cument – DO NOT MAIL					
TERMINAL DISCLAIMER	™ APPROVED		☐ DISAPPROVED					
2007 to a		at is subject erminal laimer						
Approved/Disapproved by:								
Henry D. Jefferson								

U.S. Patent and Trademark Office

PTO/SB/26 (11-07)

Approved for use through 11/30/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE U.S. Department of commerce u.S. Department of commerce deer the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING **REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional)

0102/0241 In re Application of: YoshiakiTANAKA et al. Application No.: 10/767,073 Filed: January 30, 2004 FOI: RECORDING MEDIUM AND SIGNAL PROCESSING APPARATUS The owner*, VICTOR COMPANY OF JAPAN, LTD. percent interest in the instant application hereby disclaims, 100 except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 7,260,045 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns. In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, 'as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims canceled by a reexamination certificate; is reissued: or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer. Check either box 1 or 2 below, if appropriate. For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. 2. ✓ The undersigned is an attorney or agent of record. Reg. No. 31,730 November 20, 2007 Signature Date Louis Woo Typed or printed name (703) 299-4090 Telephone Number Terminal disclaimer fee under 37 CFR 1,20(d) included. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. *Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. 11/21/2007 MAHMED1 00000072 10767073